

REMARKS

Claims 1-2, 7-9, 11-13 and 22-23 are pending in this application. Claims 3-6, 10, and 14-21 have been canceled without prejudice or disclaimer.

Claim 1 has been amended to incorporate the features of claim 5 that was indicated to be allowable. Claim 8 has been amended to change the claim dependency to claim 1.

Claims 22-23 have been newly added. Support for new claims 22-23 can be found at page 44, lines 22-27 (claim 22), at page 45, lines 1-15 and page 46, lines 14-20 (claim 23), and in the Examples of the specification. No new matter has been added.

In paragraph 2 of the Office action, the Examiner states that in order to benefit from the claim to foreign priority, certified English translations are required. It is respectfully submitted that certified translations are not required unless an issue arises about whether applicants can avoid an intervening reference based on the priority applications. See MPEP 201.15. The Examiner has acknowledged the claim for foreign priority and indicated that all certified copies of the priority documents have been received. In the absence of intervening references that is all that is required.

Claim 19 has been rejected under 35 U.S.C. § 102(b) as being anticipated by Yokota et al. (WO/022594, wherein the citations are from the English equivalent document US Pg-Pub 2004/0157162). According to the Office, Yokota et al. teaches a laser engravable printing element obtained by curing a photosensitive composition, wherein the curing occurs by exposing the whole surface to light. Applicants submit that the Examiner's rejection of claim 19 is now moot because claim 19 has been canceled.

Claims 1-4, 6-18, 20 and 21 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Yokota et al. (WO/022594, wherein the citations are from the English equivalent document US Pg-Pub 2004/0157162) in view of Frass et al. (U.S. Patent No. 5,378,584) and as evidenced by Cohen (U.S. Patent No. 4,218,498). The Office has provided a very thorough analysis of the teachings of the Yokota et al. publication as it is intended to be applied to the rejected claims. The Office alleges that Frass et al. teaches a radiation-sensitive recording material for the production of printing plates (abstract) and further shows that the radiation sensitive material comprises a surfactant with polysiloxane units (abstract), such as a dialkylsiloxane modified by alkylene oxide units (col. 4, lines 20-22) in an amount of 0.1% by weight of the radiation-sensitive composition (see lines 8-10 and Table 2 in col. 8). Cohen is cited as showing a Si atom bonded to 2 oxygen atoms, to a group Me which is the equivalent to the silicone compound of the instant application.

Although applicants disagree with this analysis and conclusion, it has been rendered moot by the incorporation of the features formerly recited in allowable claim 5 into all claims by the amendment of claim 1. Accordingly, this rejection should be withdrawn.

Prompt and favorable reconsideration of this application is requested.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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Dated: October 8, 2010

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